taxation. *United States* v. *Coghlan* (D. C. 1919) 261 Fed. 425. Moreover, conspiracy to defraud the Corporation is indictable as a crime against the United States. *United States* v. *Carlin* (D. C. 1917) 259 Fed. 904; *United States* v. *Union Timber Products Co.* (D. C. 1919) 259 Fed. 907. In the latter two groups of cases, the determinative element was probably the assault upon the public funds. Through this conceptualistic tangle, the courts seem to have followed a wise commercial policy. Private enterprise often hesitates to do business with the government, because of comparatively inadequate remedies. See *Lord & Burnham Co.* v. *U. S., etc. Corp., supra,* 959. Only in so far as necessary to obliterate this condition has the Corporation heretofore been treated judicially as other than a governmental agency. Under this policy, the inspectorship in question would appear to be fairly within the purpose of the Penal Section. Thus, the effect of the instant case upon other litigation involving the Emergency Fleet Corporation is open to speculation, and will be of interest.

CRIMINAL LAW—ENFORCING PAYMENT OF DEBT—SPECIFIC INTENT IN ROBBERY.—On appeal from a conviction for assault with intent to commit robbery, *held,* new trial granted on the ground that if the assault was made in a *bona fide* attempt to collect a debt, the defendant was not guilty. *Barton* v. *State* (Tex. Cr. App. 1921) 227 S. W. 317.

Since an essential element in robbery, as in larceny, is a specific intent to deprive another of his property, a *bona fide* claim of title to specific goods, no matter how absurd or unfounded it may be, is a valid defense to an indictment for robbery. *Brown* v. *State* (1873) 28 Ark. 126; see *State* v. *Wasson* (1905) 126 Iowa 320, 101 N. W. 1125. Although as a rule a mistake of law is no excuse, an exception exists where, as in robbery and larceny, the mistake of law would negative the necessary specific intent. *Rex* v. *Hall* (1828) 3 C. & P. *409; see *State* v. *O'Neil* (1910) 147 Iowa 513, 521, 126 N. W. 454. From this it appears that if a creditor who attempts to procure money from his debtor believes he has a legal claim to specific money possessed by the debtor, although mistaken in such belief, he has not a specific intent to deprive the debtor of his property. This contention has led to the conclusion that collecting a debt by fraud does not constitute the crime of obtaining money under false pretenses. *Commonwealth* v. *McDuffy* (1879) 126 Mass. 467; *People* v. *Thomas* (N. Y. 1842) 3 Hill 169. The weight of authority, both in this country and in England, applies this reasoning where, as in the instant case, a creditor assaults his debtor to obtain money owed him. If successful, such a taking, though a criminal assault, is not robbery. *State* v. *Hollyway* (1875) 41 Iowa 200; *Regina* v. *Hemmings* (1864) 4 Fost. & F. 50; *Crawford* v. *State* (1893) 90 Ga. 701, 17 S. E. 628; but see *Fannin* v. *State* (1907) 51 Tex. Cr. Rep. 41, 45, 100 S. W. 916. It is a question of fact whether or not the defendant actually thought he had title to whatever specific money happened to be in the possession of his debtor. *Crawford* v. *State, supra,* 629. If he did not act in good faith, his claim of right would be no defence. *State* v. *Carroll* (1901) 160 Mo. 368, 60 S. W. 1087; *Regina* v. *Wade* (1869) 11 Cox C. C. 549. However, the courts tend to regard the mere fact that the defendant sought to collect a debt as negativing the specific intent necessary to robbery. This seems unsound.

DAMAGES—SALES—VENDEE'S REFUSAL TO ACCEPT SPECIFIC SECURITIES.—The defendant, seller of twenty corporate bonds, agreed to repurchase the specific bonds at their par value of $10,000 at the request of the plaintiff. The bonds were already in the defendant's possession, so that there was no question of tender. In an action for the defendant's refusal to repurchase the bonds on demand, *held,* the measure of damages was the agreed price. *Vilsack* v. *Wilson* (Pa. 1920) 112 Atl. 17.